

GEORGIA MOTOR VEHICLE WARRANTY RIGHTS ACT

Under the 1990 Georgia Motor Vehicle Warranty Rights Act, if the **NEW** vehicle you purchase or lease has certain nonconformities that cannot be repaired in a reasonable number of attempts, you may be entitled to replacement or repurchase of the vehicle by the manufacturer.

The **warranty rights period** in which you will have this protection applies to any nonconformity that you first reported to the dealer or manufacturer during the initial 12 months or 12,000 miles of your ownership, whichever comes first, regardless of the length of the manufacturer's written warranty. Defects reported after the first 12 months or 12,000 miles, but still under the manufacturer's written warranty, may be covered under a different law. Please contact the Governor's Office of Consumer Affairs for more information.

Any self-propelled vehicle designed to travel public highways is covered under the law, with the exception of the following vehicles: motorcycles, certain parts of motor homes, and trucks with a gross vehicle weight rating of 10,000 pounds or more.

A **new** vehicle includes some demonstrator models, as well as vehicles that have never been titled to anyone other than the selling dealer before being titled to the purchaser.

A **nonconformity** is any defect, serious safety defect or condition that substantially impairs the use, value or safety of your vehicle. However, the defect is not covered under the law if it is the result of abuse, neglect or any unauthorized modification.

If a reasonable number of repair attempts takes place on a covered vehicle within 24,000 miles or 24 months of the initial repair attempt, whichever occurs first, you must notify the manufacturer and allow the manufacturer one final repair attempt. If the manufacturer cannot repair the vehicle, you can demand replacement or repurchase of the unrepaired vehicle.

A "reasonable number of repair attempts" refers to any one of the following:

- At least one repair attempt on a serious safety defect in the braking or steering system which has been subject to repair during the warranty rights period without being corrected;
- At least two repair attempts on any other serious safety defect which has been subject to repair at least once during the warranty rights period without being corrected;
- At least three repair attempts on any other nonconformity which has been subject to repair at least once during the warranty rights period without being corrected; or
- Any cumulative total of 30 calendar days involving attempted repair of one or more nonconformities, in which at least 15 of such days occur during the warranty rights period.

The selling dealer has certain responsibilities. The dealer **MUST** collect a \$3.00 Warranty Rights Act fee on every covered vehicle sold or leased. With each new vehicle sold or leased, the selling dealer should also provide the owner's manual produced by the manufacturer. The manufacturer should include in the manual a list of manufacturer addresses and customer service phone numbers. The customer service representatives listed will be authorized to direct any repair work that may need to be done to the new vehicle.

You as a consumer should document every repair attempt. After each repair attempt, the vehicle owner should obtain and keep a copy of the repair receipt, which should legibly state the following:

- A description of the problem or identification of the nonconformity;
- Any diagnosis made;
- A description of all work performed;
- A list of any parts and labor involved;
- The date and odometer reading when the vehicle was brought in for repair; and
- The date the vehicle was made available to the owner.

If you do not receive such a repair receipt, contact the dealer. If you still cannot obtain it, contact the Governor's Office of Consumer Affairs.

When it appears that a reasonable number of repair attempts for the nonconformity has been made and the defect has not been repaired or corrected, you should contact the Governor's Office of Consumer Affairs for more specific information about your rights. If you choose to proceed under the Motor Vehicle Warranty Rights Act, you will be waiving other legal rights. It is very important that you understand the waiver of these rights before beginning proceedings under the Motor Vehicle Warranty Rights Act.

If you choose to proceed under the Warranty Rights Act, you must notify the manufacturer in writing when a reasonable number of repair attempts has been made. Upon receipt of the notification, the manufacturer must be given one final opportunity to repair the nonconformity. If the manufacturer cannot repair the nonconformity, the manufacturer must, at the option of the consumer, either repurchase or replace the vehicle.

If a dispute arises over the repurchase or replacement of the vehicle, you may submit the dispute to an informal dispute settlement mechanism certified by the State of Georgia. Contact the Governor's Office of Consumer Affairs for information regarding the appropriate informal dispute settlement mechanism. Appeals may be made to a state-operated arbitration panel, and then to Superior Court. You may request an application for state-operated arbitration by contacting:

Governor's Office of Consumer Affairs
2 Martin Luther King, Jr., Drive SE, Suite 356
Atlanta, Georgia 30334-4600
404-656-3790 (metro Atlanta)
1-800-869-1123 (statewide)

The above information is only a brief summary of your rights and remedies as a Georgia consumer under the Georgia Motor Vehicle Warranty Rights Act. If you think your vehicle may have a nonconformity that qualifies for protection, you should contact the Governor's Office of Consumer Affairs for more detailed information.